

Defendants Exhibit 35-
Case No. 2888 Civil
Court Reporter.

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
IN AND FOR UTAH COUNTY, STATE OF UTAH.

PROVO RESERVOIR COMPANY,) No. 2888 Civil
a corporation,) Contempt Proceeding
Plaintiff,)
vs.) Copy of the Proceedings in the
PROVO CITY, et al,) above entitled Cause, February
Defendants,) 21, 1921, P.M., Found in Second
Part of Vol. XI. of Official Trans-
cript of Evidence given in said
Cause, pages 56 to 74, Both In-
clusive.

THE COURT: Now, I think there remains nothing further except a suggestion made with reference to the springs, some misapprehension or uncertainty as to that, and the matter of appointment of commissioner, and fixing apportionment of costs. I will hear you with reference to the springs.

MR. HATCH: In regard to the springs, yesterday when it was proposed to amend subdivision E, or the substitute of Subdivision E of Finding 58, I was objecting to the change when Mr. Murdock, looking at me, said, "Yes, that is all right, and let it go." I understood that to mean my client had no objection to it, and I so stated to the court, which was error on my part, and I then asked the court to withdraw my statement that we had no objection, which was permitted, and the court then at once found that the substitute should be allowed with an addition excepting from the spring, those flowing into and arising in the Blue Cliff Canal. That would, so far as the Blue Cliff Canal is concerned, remedy any trouble that might exist, but as to other rights in the river, it would not, and the stipulation provides specifically what they shall have; that is, they shall have such water from such springs as were then flowing in their water